

REMARKS/ARGUMENTS

Reconsideration of the above-identified application is respectfully requested.

This application has been withdrawn from issuance and the indicated allowability of Claims 39-42 and 44-46 has been withdrawn over the newly discovered reference to Gan *et al.*

Claims 35, 37-38, 47-48 and 50-51 remain allowed. Claim 43 has been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

Claim Rejection under 35 U.S.C. § 102(e)

Claims 39-42 and 44-46 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gan *et al.*, U.S. Patent No. 5,964,807.

Claim 39 has been amended to include the limitations of objected to Claim 43. The amendment includes adding the limitations from Claims 42 and 43 and those claims have now been cancelled. Since Claim 43 is indicated as being allowable, it is respectfully submitted that Claims 39-41 and 44-46, which have been amended to depend from Claim 39, are likewise allowable. Such action is earnestly solicited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Ernest B. Lipscomb, III

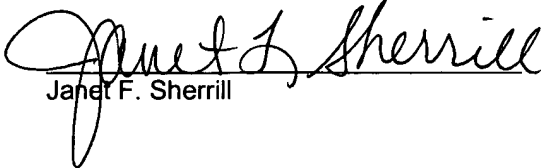
Registration No. 24,733

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

Appl. No.: 09/560,288
Amendment Dated August 12, 2005
Reply to Office Action of August 9, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on August 12, 2005.


Janet F. Sherrill